15.41½ hrs.

SPECIAL EDUCATION FACILITIES (FOR CHILDREN OF PARENTS LIVING BELOW POVERTY LINE) BILL

[English]

DR. T. SUBBARAMI REDDY (Visakhapatnam) : I beg to move for leave to introduce a Bill to provide for special educational facilities to the children of parents living below poverty line and for matters connected therewith.

MR. CHAIRMAN : The question is :

> "That leave be granted to introduce a Bill to provide for special educational facilities to the children of parents living below poverty line and for matters connected therewith."

The motion was adopted.

DR. T. SUBBARAMI REDDY : I introduce the Bill.

15.42 hrs.

COMPULSORY EDUCATION BILL

[English]

DR. T. SUBBARAMI REDDY : I beg to move for leave to introduce a Bill to provide for free and compulsory education upto higher secondary level to all children throughout the country and for matters connected therewith.

MR. CHAIRMAN : The question is :

> "That leave be granted to introduce a Bill to provide for free and compulsory education upto higher secondary level to all children throughout the country and for matters connected therewith."

The motion was adopted.

DR. T. SUBBARAMI REDDY : I introduce the Bill.

15.42½ hrs.

RAGPICKING AND OTHER VAGABOND STREET CHILDREN (REHABILITATION AND WELFARE) BILL

[English]

DR. T. SUBBARAMI REDDY : I beg to move for leave to introduce a Bill to provide for welfare measures to be undertaken by the Union and State Governments for the regpicking and vagabond street children who subsist on collecting and selling waste material from garbage dumps and other places endangering their health and lives and for their rehabilitation through education, training, vocational education and guidance and for matter connected therewith or incidental thereto.

MR. CHAIRMAN : The question is :

> "That leave be granted the introduce a Bill to provide for welfare measures to be undertaken by the Union and State Governments for the regpicking and vagabond street children who subsist on collecting and selling waste material from garbage dumps and other places endangering their health and lives and for their rehabilitation through education, training, vocational education and guidance and for matters connected therewith or incidental thereto."

The motion was adopted.

DR. T. SUBBARAMI REDDY : I introduce the Bill.

15.43½ hrs.

POPULATION CONTROL BILL

[English]

DR. T. SUBBARAMI REDDY : I beg to move for leave to introduce a Bill to provide for population control through compulsory sterilisation of certain persons, measures for promoting small family norm and for matters connected therewith.

MR. CHAIRMAN : Motion moved :

> "That leave be granted to introduce a Bill to provide for population control through compulsory sterilisation of certain persons, measures for promoting small family norm and for matters connected therewith."

SHRI G.M. BANATWALLA : I will take only one minute. Sir, my good friend, Dr. Reddy has sought the leave of the House to introduce a Bill namely, the Population Control Bill, 1996.

The entire thrust of Bill is towards compulsory sterilisation. The Bill brings to our mind the reminiscences of.....

MR. CHAIRMAN : I think, Shri Banatwalla, at this stage you are conscious of the limitations.

SHRI G.M. BANATWALLA : Please, bear with me. Though I am growing old, my memory has not failed me. In the beginning I said, I will take one minute and that is all.

Mr. Chairman, Sir, as I said, the Bill brings to our mind the hair-raising reminiscences of the most

unfortunate period of the Emergency, and the widespread discontent that was there at that time against the forced sterilisation that was going on during those days.

The entire thrust of this Bill is, as I said, on compulsory sterilisation. Of course, a little earlier my good friend Shri Amar Pal Singh also introduced a Bill, the National Population Policy Bill. Though I am against the various provisions of that Bill yet I did not oppose the introduction of that Bill because that Bill sought to raise a discussion about population in the national context. Whenever that Bill comes up for discussion, we can go into it and raise our objections. However, the present Bill by Dr. Reddy has its thrust on compulsory sterilisation. I must also say that it is *ultra vires* of the Constitution. It is violative of Article 21, Article 25, Article 26, and various other Articles of the Constitution. Surely, the right to the inviolability of the sanctity of the body of a person is the basic fundamental right contemplated by Article 21 when it guarantees the right to life. This Bill violates that Article. At the same time, there are various religions which do not allow sterilisation. As such the Bill is also violative of Article 25 and Article 26 of the Constitution.

We must see that we do not march toward a fascist State. Fascist policies of compulsory sterilisation and so on and so forth cannot be adopted. I take strong exception to this particular Bill. I appeal to my good friend Dr. Reddy to withdraw the Bill and not to force me to oppose it when it is put to vote.

Mr. Chairman, Sir, I know very well that this is not the stage when we can go into the merits, demerits and the details of the Bill. Of course, I am second to none when considerations of population come up. But then the remedy lies elsewhere and that is a fact. Therefore, the Bill being violative of various provisions of the Constitution, the Bill introducing an element of compulsion taking us towards a fascist State and fascist policies, the Bill violating the secular tenets of our polity should not be introduced at all in this House. I therefore oppose the motion for leave to introduce the Bill.

DR. T. SUBBARAMI REDDY : Mr. Chairman, Sir, I would like to submit my feelings on my good friend Shri Banatwala's comments.

The entire House and the entire nation agree that population is the most burning problem facing the country today. In spite of the tremendous prosperity of the country and the phenomenal progress made by the country, we are still suffering from poverty and unemployment. It is because of over population and the hon. Member also agrees with me in that.

SHRI ANIL BASU (Arambagh) : He is opposing forced sterilisation.

SHRI G.M. BANATWALLA : Dr. Reddy, do not put words in my mouth.

DR. T. SUBBARAMI REDDY : Yes, one argument is, compulsory sterilisation perhaps might hurt the feelings and sentiments of several people. I fully agree. There is no second doubt about it. But at the same time, since on several occasions several efforts have filed to curb the population explosion, we felt why should we not have it. Of course, it is subject to debate; it is subject to discussion; it is subject to argument; it is subject to the consent of various people by taking the pros and cons of this Bill. Nobody is going to agree to this Bill just like that. I do agree that it is controversial. Perhaps, it is a violation of the Constitution. But constitution amendments can always take place. Just now, Shri George Fernandes suggested a Constitution amendment. Therefore this is the stage of only introduction of the Bill. When the actual discussion takes place every hon. Member has a right to speak. Perhaps, they might suggest that instead of saying 'compulsory sterilization' why do we not say 'voluntary sterilization' by giving more incentives to inspire people to follow population control measures in such a way that the country's future can always be moulded in a golden way.

Therefore, I request my friend to say that we are not going to insist. It is a very sensitive subject. We cannot go by majority also. We go by the unanimity. Unless everbody- hundred per cent - agrees with some alternative system of sterilization, I fully agree that we can never force anybody and also hurt anybody ...*(Interruptions)*

The point is that I gave only a Bill for introduction. Tomorrow, my only request is that if you want, I can tell that all agree unanimously to the view that compulsory sterilization is not required because it is going to hurt the sentiments of the people of our country. Therefore, perhaps, there is no harm to give much importance of the Bill. Let me introduce this Bill and let us listen to everybody and come to an amicable solution and say that this great nation is built in a very phenomenal way.

MR. CHAIRMAN : At this stage, we are not to discuss this.

DR. T. SUBBARAMI REDDY : I am not giving any amendment. At this stage, I want this Bill to be introduced. Tomorrow perhaps the hon. members might suggest that we might have the Bill with some modifications. Therefore, I want this bill to be introduced. There is no harm in introducing this Bill. At this stage, this Bill need not be opposed.

MR. CHAIRMAN : I think I should inform the House that the Chair does not decide whether a Bill is *ultra vires* of Constitution or not. It is to be decided by the Court. Therefore, the House will decide whether the House will give leave to him to introduce the Bill. This depends upon the House. Therefore, I have got no alternative but to refer it to the House for voting.

The question is :

"That leave be granted to introduce a Bill to provide for population control through compulsory sterilisation of certain persons, measures for promoting small family norm and for matters connected therewith."

The motion was adopted

DR. T. SUBBARAMI REDDY : I introduce the Bill.

15.54 hrs.

CONSTITUTION (AMENDMENT) BILL

Amendment of Eighth Schedule

[Translation]

PROF. RASA SINGH RAWAT (Ajmer) : Mr. Chairman, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

[English]

MR. CHAIRMAN : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted

[Translation]

PROF. RASA SINGH RAWAT : I introduce the Bill.

15.54½ hrs.

PRIVATE MEMBERS'

Resolution Re. Unemployment

[English]

MR. CHAIRMAN : The House shall now take up further discussion of the Resolution moved by Shri Prabhu Dayal Katheria.

The time allotted is three hours.

Time already taken is two hours.

Now, Shri Ompal Singh-Absent. Shri R.L.P. Verma - absent. Shri Santosh Kumar Gangwar - absent.

Now, Shri Radha Mohan Singh.

[Translation]

SHRI RADHA MOHAN SINGH (Motihari) : Mr. Chairman, Sir, The resolution moved by my friend, Sh. Prabhu Dayal Katheria contains the most burning question facing the country. On this question of unemployment, all the hon. Members of this House should think jointly and try to find a solution to it. We have about five crore educated unemployed people in the country who have got their names registered but a large number of them living in villages do not reach the employment exchanges. If we add the number of the uneducated unemployed people living in villages to the total number of the unemployed, we will find that we have a large army of the educated and uneducated unemployed people in country. This large army of the unemployed is increasing in its number very fast.

Besides, terrorism, poverty and starvation are also keeping pace with this monster of unemployment.

All the Governments since independecne, made announcements that they would solve the problem of unemployment by setting up a network of small scale industries in the country...*(Interruptions)*

[English]

SHRI SURESH PRABHU (Rajapur) : Who is the Minister who is going to reply to this debate? Is he present here in this House?

MR. CHAIRMAN : One Minister should be present at any given point of time. So, he is here.

PROF. RASA SINGH RAWAT (Ajmer) : Is he noting down anything? Is he aware of the responsibility?

MR. CHAIRMAN : You cannot question that. He is the Minister. He is the Rt. hon. Member as you are.

SHRI G.M. BANATWALLA (Ponnani) : How many State Ministers are equal to one Cabinet Minister?

MR. CHAIRMAN : You calculate yourself.

SHRI G.M. BANATWALLA : Where is he? You call him or send the Martial to call him.

MR. CHAIRMAN : He is the Cabinet Minister.

[Translation]

SH. RADHA MOHAN SINGH : I was stating that all the Governments that came into power in this country after independence made announcements that they would solve the problem of unemployment by setting up networks of small industries in the country. In this connection, a committee was formed in under the chairmanship of Shri T.R. Naik in 1991, which was assigned the task of making a special study and reassessment and to submit its report so as to meet the need of proving working capital to small-scale industries through the Reserve Bank of India.

On the 15th Dec. 1995, when an hon'ble Member raised a question about the committee formed for protection and promotion of small scale industries in this House, it was stated in the reply that the single window scheme of the Small Scale Industries Development Bank of India would be inplemented in the districts and it would be ensured that no delay takes place in the sanction and distribution of loans to the